

Book  
Policy Manual  
Section  
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Title  
Use of School Facilities  
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707  
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### **Purpose**

The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools. This policy establishes conditions, restrictions and procedures for the use of school facilities for nonschool-sponsored purposes.

### **Authority**

The Board has established the following order of priority for the use of MCSD facilities:

1. In Season MCSD PIAA Sports.
2. MCSD Extra and Co-Curricular Activities.
3. Out of Season MCSD PIAA Sports.
4. Clubs and Non-Profit Groups within the MCSD.
5. Non-Profit and Groups for Profit outside the MCSD.

The Board directs that use of school facilities may be granted to individuals and community groups when the facilities are not scheduled for school programs for the following types of activities:

1. Meetings of students, alumni associations, parent-teacher organizations, recognized athletic and band booster organizations, other organizations affiliated directly with the schools and entertainments for the benefit of the school given by the student organizations recognized by school authorities. Such meetings shall have precedence over all others, and may be held by arrangements with the principal of the building who shall assume responsibility including notification of necessary personnel to ensure proper preparation and security of the building. The principal shall either be present in person or be represented by an authorized employee.
2. Meetings of an educational, patriotic, philanthropic, civic, or musical nature intended to promote the public welfare and not conflicting or interfering with the aforementioned school uses or the regular work of the school.
3. Instruction in any branch of education, learning and the arts, consistent with the district's mission.
4. Polling places for holding primaries, elections and special elections, as permitted or required by state law.
5. Recreation, physical training and athletics, including competitive athletic contests for children and adults.

No organization that discriminates on the basis of race, color, creed, national origin, gender, sexual orientation, age or handicap, as defined by law, shall be allowed to use the district facilities.

Access may be limited due to school activities and availability.

The Board shall establish a schedule of fees for the use of school facilities by approved groups. See attachment. For athletic practice facilities only, (excluding Kish Bank Field at Donald M. Chapman III Stadium, Marcal Paper Field, First Quality Field, and Capouillez Field) there is no fee for auxiliary staff or custodians if more than seventy-five percent (75%) of participants are Mifflin County School District students. For the use of stadium facilities, (including Kish Bank Field at Donald M. Chapman III Stadium, Marcal Paper Field, First Quality Field, and Capouillez Field) a minimum of two (2) Auxiliary staff will be required.[\[1\]](#)

### **Delegation of Responsibility**

The Superintendent shall ensure that this policy is posted on the district's publicly accessible website.[\[2\]](#)

The Superintendent or designee shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them.

A school custodian or a district employee approved by the building principal, shall be present before the facility usage is scheduled to commence and throughout the usage period. This same person must open and close the building, have charge of heating and ventilating all areas of the building, and assist in preserving order on the school premises and preventing damage to school property.

An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Superintendent or designee.

### **Guidelines**

Organizations requesting the use of buildings and facilities will be classified in one (1) of the following three (3) user categories and be subject to appropriate fee schedules and costs, where applicable:

1. Class I – School-sponsored organizations and programs to include meetings of students, recognized athletic and band organizations, athletic and band booster organizations, parent-teacher organizations and other organizations affiliated directly with the schools and entertainment for the benefit of the schools given by school authorities.
2. Class II – School-related organizations and programs to include alumni associations and nonprofit organizations. Proof of non-profit status is required with application.
3. Class III – Non-school related, for-profit organizations.

#### Application Process

Application for the use of school buildings and grounds shall be made on the Application for Permission to use School Facilities form which is located on the MCSD website and/or secured at the office of the principal at the facility requested. Application must be made six (6) weeks in advance of the date of expected usage.

The application must specify the school and the portion of the school facilities requested for use; purpose of request; approximate number of individuals attending; organization category, and the date, time and duration of the proposed event.

Along with the completed application, the individual or group must submit the following for Categories II and III:

1. Evidence of organizational liability to limits required by district guidelines.
2. Documentation evidencing the district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group.

#### Application Evaluation

The district reserves the right to assign an appropriate facility.

No application to use school facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school-sponsored activity.
2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.
5. Individual or community group uses school facilities in excess of six (6) times during any calendar year for the same purpose. This limitation shall not apply to individual athletic contests for children or adults that are part of an overall athletic season schedule, when the use is approved by the Board.

#### Limitations

When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. An official representative of the renting organization shall be present at all times and identified to MCSD personnel.
2. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form.
3. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.
4. Sunday activities are not permitted before 1:00 PM. Organizations are able to enter the building for setup before 1:00 PM.
5. MCSD booster organizations will have first option to operate indoor and outdoor concession stands and retain all proceeds.
6. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the district.
7. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school.
8. The district reserves the right to assign auxiliary staff, custodial staff, security staff and any staff deemed necessary, and assign costs to requesting organization in addition to rental fees.

#### Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities: [\[3\]](#)

1. Possession, use or distribution of controlled substances prohibited by state or federal law.
2. Possession of weapons.
3. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Use of tobacco and vaping products, and other e-cigarettes, as defined in the law. [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

*Products approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, are permitted, as long as the product is not inhaled.*

6. Medical marijuana products as prohibited by federal law.
7. Possession, use or distribution of alcoholic beverages.
8. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or administration. [\[8\]](#)[\[9\]](#)

### Violations

The district reserves the right to remove from district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[\[3\]](#)

In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, that individual or community group forfeits the right to submit future written requests to use district property, unless otherwise decided by the Board.

### Fee Schedule

Fee waivers will not be granted; the only exception is for local emergency management trainings. Use of school facilities for activities directly related to the educational program and district operations shall be without cost to users except that the user shall be responsible for extra custodial fees. Use of school facilities for activities shall be in accordance with the Schedule of Rates Chart and Personnel Fees. Fees will be updated annually to reflect current payroll and utility rates.

### Legal

[1. 24 P.S. 775](#)

[2. 24 P.S. 510.2](#)

[3. 24 P.S. 511](#)

[4. 18 Pa. C.S.A. 6306.1](#)

[5. 20 U.S.C. 7972](#)

[6. 20 U.S.C. 7973](#)

[7. Pol. 904](#)

[8. 10 P.S. 328.101 et seq](#)

[9. 61 PA Code 901.701](#)

[24 P.S. 779](#)

[35 P.S. 637.1 et seq](#)

[61 PA Code 901.1](#)

[20 U.S.C. 7905](#)

[20 U.S.C. 7971 et seq](#)